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SHOOK, HARDY & BACON L.L.P. (MICROSOFT TECHNOLOGY LICENSING, LLC) INTELLECTUAL PROPERTY DEPARTMENT 2555 GRAND BOULEVARD KANSAS CITY, MO 64108-2613			MACKES, KRIS E	
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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* ANTOINE EL DAHER and FARID HOSSEINI

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Appeal 2016-002091  
Application 13/190,744  
Technology Center 2100

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Before ROBERT E. NAPPI, LINZY T. McCARTNEY, and  
JOHN P. PINKERTON, *Administrative Patent Judges*.

NAPPI, *Administrative Patent Judge*.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134(a) from the Examiner's Final Rejection of claims 1 through 9 and 11 through 20. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

## INVENTION

Appellants' disclosed and claimed invention is directed to a system that presents search results along with action based deeplinks (links to actions provided by web page listed in the search result). Abstract. Claim 1 is representative of the invention and reproduced below.

1. One or more computer storage media storing computer-usable instructions that, when used by one or more computing devices, cause the one or more computing devices to perform a method, the method comprising:

identifying a first action that is common within web pages within a given web page category by:

identifying a group of web pages within the given web page category;

identifying hyperlinks within web pages from the group of web pages;

clustering the hyperlinks into a plurality of clusters; and identifying the first action corresponding with a first cluster of hyperlinks from the plurality of clusters, the first action comprising a common action that may be performed at web pages accessed by hyperlinks in the first cluster of hyperlinks;

identifying, within a first web page from the plurality of web pages, a first hyperlink that corresponds with the first action;

storing data regarding the first hyperlink identifying the first hyperlink as an action-based deeplink for the first web page that corresponds with the first action that is common within web pages within the given web page category;

receiving a search query from an end user device;

identifying the first web page as being relevant to the search query by querying a search engine index;

generating a search result for the first web page, the search result including a hyperlink linking to the first web page, a deeplink specific to the first web page, and the action-based deeplink that links to a URL corresponding with the first

hyperlink, the search result being generated to present the deeplink differently than the action-based deeplink; and  
providing the search result with the action-based deeplink for presentation via the end user device.

#### REJECTIONS AT ISSUE<sup>1</sup>

The Examiner has rejected claims 1 through 3, 5 through 9, 11, 19 and 20 under 35 U.S.C. § 103(a) as unpatentable over Seo (“Generalized Link Suggestions via Web Site Clustering” March 28-April 1, 2011, Proceedings of the 20<sup>th</sup> International Conference on World Wide Web) and Petrou (US 2011/0131241 A1, published June 2, 2011). Answer 2.

The Examiner has rejected claims 4 and 12 through 18 under 35 U.S.C. § 103(a) as unpatentable over Seo, Petrou and Paczkowski (US 7,836,009 B2, issued Nov. 16, 2010). Answer 2.

#### ISSUES

Appellants present several arguments asserting the Examiner’s rejection of independent claims 1 through 3, 5 through 9 and 11 is in error. App. Br. 9–13. These arguments present us with the following three issues:

- 1) Did the Examiner error in finding the combination of Seo and Petrou teaches identifying an action that may be performed which is common to web pages in a given category?
- 2) Did the Examiner error in finding the combination of Seo and Petrou teaches identifying in a first web page a

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<sup>1</sup> Throughout this Decision we refer to the Appeal Brief filed April 20, 2015, the Examiner’s Answer mailed September 29, 2015, and the Final Action mailed July 17, 2014 (“Final Act.”).

hyperlink that corresponds to a common action and storing data regarding the link as an action based deeplink?

- 3) Did the Examiner error in finding the combination of Seo and Petrou teaches generating a search result that includes a hyperlink to the first page, a deeplink specific to the first web page, where the deeplink is presented differently than action based deeplink?

Appellants' arguments directed to claims 19 and 20 present us some of the same issues (issues 2 and 3) presented with respect to claims 1 through 3, 5 through 9 and 11. App. Br. 13–16.

Appellants' arguments directed to the rejection of dependent claim 4, present us with the same issues as claims 1 through 3, 5 through 9 and 11. App. Br. 16.

Appellants' arguments directed to claims 12 through 18 present us some of the same issues (issues 1 and 2) presented with respect to claims 1 through 3, 5 through 9 and 11. App. Br. 17–19.

## ANALYSIS

We have reviewed Appellants' arguments in the Appeal Brief, the Examiner's rejections, and the Examiner's response to Appellants' arguments. Appellants' arguments have not persuaded us of error in the Examiner's rejections of claims 1 through 9 and 11 through 20.

The Examiner has provided a comprehensive response to each of Appellants' arguments on pages 4 through 12 of the Answer. Specifically, the Examiner finds that while Seo does not specifically address action hyperlinks, the teaching does include them, citing the links "Order Online"

and “Contact Us” shown in Seo’s Figure 1. Answer 5–6. Further, the Examiner finds Sao teaches identifying common hyperlinks among websites within a particular category of websites, which teaches the claim limitation directed to identifying and storing a common action. Answer 6–7 (citing Seo page 79, section 3.1.3). Further, the Examiner finds that Petro teaches a system in which there is a display of search results and action links where the action links are displayed differently than other links. Answer 5, 8–9 (citing Petrou Figure 17, 18 and paragraphs 213, and 233). The Examiner finds that combining the search results with links of Sao, with Petrou’s teaching of displaying action links different than regular links would be obvious. Answer 9.

We have reviewed the evidence cited by the Examiner and concur with the Examiner’s findings and conclusions. We are not persuaded of error by Appellants’ arguments. Appellants’ arguments directed to the first and second issue are premised upon the assertion that Seo does not teach identifying an action that corresponds with similar hyperlinks. App. Br. 9. As discussed above, we concur with the Examiner that Seo teaches this feature, see Seo Figure 1, sec 3.1.3 (which discusses for a class of websites, the URL text for a term should be treated similarly). Thus, we disagree with the premise underlying Appellants’ arguments directed to the first and second issues. Accordingly, we are not persuaded of error.

Appellants’ arguments directed to the third issue similarly are premised upon Seo not teaching action links and that the action links of Petro are not based upon a particular web site. We are unpersuaded of error by this argument because, as discussed above, we find that Seo teaches action based links associated with a website and that Petro is merely relied

upon to show that the action based links are displayed differently. Thus, Appellants' arguments directed to the third issue have not persuaded us of error. Accordingly, we sustain the Examiner's rejection of claims 1 through 9 and 11 through 20.

#### DECISION

We sustain the Examiner's rejections of claims 1 through 9 and 11 through 20 under 35 U.S.C. § 103(a).

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R § 1.136(a)(1)(iv).

AFFIRMED